

EXHIBIT Y

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION

ADVANCEME : DOCKET NO. 6:05CV424
VS. : TYLER, TEXAS
RAPID PAY : June 27, 2007
9:05 A.M.

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MOTIONS HEARING
BEFORE THE HONORABLE JOHN D. LOVE,
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

FOR THE PLAINTIFF:

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MR. MIKE EDELMAN
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FOR THE DEFENDANT:

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1 COURT REPORTER:

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24 PROCEEDINGS REPORTED BY MECHANICAL STENOGRAPHY, TRANSCRIPT
25 PRODUCED BY COMPUTER-AIDED TRANSCRIPTION.

1 But that's the Court's ruling on those motions. The
2 additional relief requested is denied.

3 All right. Let's move on then to Docket Number 130 or
4 264, I guess. Let me hear from the Defendant on that
5 motion.

6 MR. SCHUURMAN: Your Honor, part of the problem
7 we have in this case is we haven't been able to find prior art
8 in the form of articles, publications, et cetera, except a
9 limited amount. And the Defendants have spent a lot of time
10 trying to find out evidence of public use, commercial use of
11 these prior art systems, and we have found quite a lot of it,
12 and as Your Honor knows, the Little prior art, the Clever Ideas
13 prior art and other prior art that we have already dealt with.

14 In about October last year we were referred to a
15 Website by Bieler Marketing Associates and we looked at that
16 Website and we noticed that what is important about that
17 Website is that it says nothing at all about Little and
18 Company. It says that it was established in 1996. It
19 doesn't say when it started operating. Was it before July,
20 1996, which is relevant to 102(b), or was it before July,
21 1997, which is relevant to 102(a).

22 And we tried to contact Mr. Bieler several times. He
23 eventually responded by getting an attorney to contact me,
24 and this attorney left me a voice mail. I believe it was in
25 late November. I'm not absolutely certain about that date.